

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

GLEN EDWARD DOCKINS,

Defendant.

No. 2:13-CR-2039-EFS

**ORDER DENYING AS MOOT PLAINTIFF'S
MOTION TO VACATE HEARING AND HOLD
PETITIONER'S MOTION IN ABEYANCE**

The Court held a hearing in this matter on August 16, 2016. ECF No. 72. The Defendant was represented by Alison Guernsey, and the Government was represented by Alvin Guzman. ECF No. 72. Before the Court were Defendant's Motion to Vacate, ECF No. 57, and the Government's Motion to Vacate Hearing and Hold Petitioner's Motion in Abeyance, ECF No. 59, in which the Government sought to hold Defendant's motion in abeyance pending the Ninth Circuit's decisions in *United States v. Gardner*, No. 15-72559 (9th Cir.), and *United States v. Jacob*, 15-73302 (9th Cir.).

The Ninth Circuit issued its judgments in *United States v. Gardner* and *United States v. Jacob* on August 1, 2016. At the August 16 hearing, the Court granted Defendant's Motion to Vacate. ECF No. 72. That ruling was confirmed by a subsequent order. ECF No. 73.

Accordingly, **IT IS HEREBY ORDERED:** Plaintiff's Motion to Vacate Hearing and Hold Petitioner's Motion in Abeyance, **ECF No. 59**, is **DENIED AS MOOT.**

IT IS SO ORDERED. The Clerk's Office is directed to enter this Order and provide copies to all counsel.

DATED this 25th day of August 2016.

s/Edward F. Shea
EDWARD F. SHEA
Senior United States District Judge